S.B.Cr.Misc. Bail App. No.4800/2007

(Kassa & Ors. vs. State of Rajasthan)

Date of order : October 04, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.B.S.Rathore, for the petitioners.
Mr.Vishal Raj Mehta, Public Prosecutor.
Mr.Suresh Kumbhat, for the complainant.

Heard learned counsel for the petitioners and the Public Prosecutor for the State assisted by counsel for the complainant. Perused the order impugned and the police investigation diary.

Learned counsel for the petitioners and the counsel appearing for the complainant first informant submit that the parties have compromised the matter. Counsel for the first informant and injured submit that injured has no objection if the petitioners are released on bail under section 439 Cr.P.C.

Having regard to the facts and circumstances of the case and the fact that parties have compromised the matter and no evidence is likely to come up against the petitioners and even otherwise, prima facie whether offence under section 307 I.P.C. is made out or not is yet to be determined and rest of the offences are bailable, I consider it just and proper to enlarge the accused petitioners on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioners Kassa s/o Prabha Ji, Binda s/o Kassaji and Malam s/o Sajia be released on bail in CR. No.141/2007, P.S. Raniwada provided each of them furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-